

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IPCOM, GMBH & CO. KG

Plaintiff,

v.

AT&T INC., ET AL.

Defendant,

NOKIA OF AMERICA CORPORATION,

Intervenor,

Case: 2:20-cv-00322-JRG
LEAD CASE
JURY DEMANDED

JOINT MOTION TO DISMISS

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and the terms of a separate agreement, Plaintiff IPCom, GMBH & Co. KG (“IPCom”) and Defendants AT&T Corp., AT&T Communications LLC, AT&T Mobility LLC, AT&T Mobility II LLC, AT&T Services, Inc., (“AT&T”) (collectively, “the Parties”) have agreed to resolve all claims in the above-captioned action between IPCom and AT&T. The Parties, therefore, jointly move this Court to dismiss with prejudice IPCom’s claims against AT&T in this action, subject to the Parties’ settlement agreement, and dismiss without prejudice AT&T’s counterclaims and defenses. The Parties also move that all defenses brought by Intervenor Nokia of America Corporation stemming from IPCom’s claims against AT&T be dismissed as moot.

The Parties further move the Court to order that the Parties shall bear their own respective costs and expenses relating to this litigation (including but not limited to attorneys' and expert fees and expenses).

A proposed Order is filed concurrently herewith.

DATED: May 20, 2022

Respectfully submitted,

By: /s/ Martin J. Black w/permission Claire Henry

Martin J. Black **LEAD ATTORNEY**
Pennsylvania Bar No. 54319
Dechert LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
Tel: (215) 994-4000
Fax: (215) 994-2222
martin.black@dechert.com

Jeffrey B. Plies
Dechert LLP
Texas Bar No. 24027621
515 Congress Avenue
Suite 1400
Austin, TX 78701
Tel: (512) 394-3000
jeffrey.plies@dechert.com

T. John Ward, Jr.
Texas State Bar No. 00794818
E-mail: jw@wsfirm.com
Charles Everingham IV
Texas State Bar No. 00787447
E-mail: ce@wsfirm.com
Claire Abernathy Henry
Texas State Bar No. 24053063
E-mail: claire@wsfirm.com
Andrea L. Fair
State Bar No. 24078488
Email: andrea@wsfirm.com
WARD, SMITH & HILL, PLLC
PO Box 1231
Longview, Texas 75606-1231
Telephone: (903) 757-6400
Facsimile: (903) 757-2323

Attorneys for Plaintiff
IPCom, GmbH & Co. KG

/s/ Deron R. Dacus w/permission Claire
Henry

Deron R. Dacus
Shannon M. Dacus
The Dacus Firm, PC
821 ESE Loop 323
Suite 430
Tyler, TX 75701
ddacus@dacusfirm.com
sdacus@dacusfirm.com

Nicholas M. Mathews
Jonathan N. Powers
McKool Smith PC
300 Crescent Court
Suite 1500
Dallas, TX 75201
nmathews@mckoolsmith.com

Kevin R. Schubert
Mckool Smith PC
One Manhattan West
395 9th Avenue, 50th Floor
New York, NY 1001-8603
kschubert@mckoolsmith.com

Matthew T. Cameron
McKool Smith PC
300 West 6th Street, Suite 1700
Austin, TX 78701
mcameron@mckoolsmith.com

***Attorneys for AT&T Corp., AT&T
Communications, LLC, AT&T Mobility LLC,
AT&T Mobility II LLC, and AT&T Services
Inc.***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel of record who have consented to electronic service as this district requires in accordance with Local Rule CV-5(a)(3)(A) on this 20th day of May, 2022.

/s/ Claire A. Henry
Claire A. Henry

CERTIFICATE OF CONFERENCE

I certify that, pursuant to Local Rule CV-7(i), counsel for IPCom and AT&T have complied with the meet and confer requirement in Local Rule CV-7(h), and that the motion is unopposed.

/s/ Claire A. Henry
Claire A. Henry